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8

9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA  
11

12 EDWARD J. PROUDFOOT AND  
MICHELLE MILLIORN  
13

14 Plaintiffs,

15 v.

16 CITY OF OAKLAND AND COUNTY OF  
ALAMEDA, ET AL.

17 Defendants.  
18

Case No. C09-01492 WHA

STIPULATION AND ORDER TO  
CONTINUE DATE TO FILE  
RESPONSIVE PLEADING

19  
20 The parties to the above captioned litigation hereby stipulate, by and through their  
21 undersigned counsel of record, to continue the date for Defendants City of Oakland and  
22 Alameda County to file responsive pleadings in this case from June 30, 2009 to July 7,  
23 2009.

24 The reason for this stipulation is the parties are currently negotiating on the filing of  
25 a First Amended Complaint in this matter in order to avoid defendants filing a Motion to  
26 Dismiss pursuant to F.R.C.P. Rule 12(b)(6). The parties had previously stipulated to a

1 continuance of this date and continue to negotiate on the possible filing of an amended  
2 complaint in order to avoid defendants filing a Motion to Dismiss.

3 DATED: JUNE 26, 2009

4 JOHN A. RUSSO, City Attorney  
5 RANDOLPH W. HALL, Assistant City Attorney  
6 JAMES F. HODGKINS, Supervising Trial Attorney  
7 CHARLES E. VOSE, Senior Deputy City Attorney

8 By: \_\_\_\_\_/s/  
9 Attorneys for Defendant  
10 CITY OF OAKLAND

11 DATED: JUNE 26, 2009

12 DAVID J. BEAUVAIS, ESQ.

13 By: \_\_\_\_\_/s/  
14 Attorney for Plaintiffs  
15 EDWARD PROUDFOOT and  
16 MICHELLE MILLIORN

17 DATED: JUNE 26, 2009

18 RANDY ANDRADA, ESQ.  
19 ANDRADA & ASSOCIATES

20 By: \_\_\_\_\_/s/  
21 Attorney for Defendant  
22 ALAMEDA COUNTY  
23  
24  
25  
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ORDER

Pursuant to stipulation of the parties and good cause appearing therefore, it is hereby ordered that the date for Defendants City of Oakland and Alameda County to file responsive pleadings in this case is continued from June 29, 2009 to July 7, 2009.

IT IS SO ORDERED.

Dated: June 30, 2009

WILLIAM ALSUP  
U.S. District Court Judge

